AGENDA

BOARD OF MAYOR AND ALDERMEN

May 2, 2006

7:30 PM Aldermanic Chambers City Hall (3rd Floor)

- 1. Mayor Guinta calls the meeting to order.
- 2. The Clerk calls the roll.

CONSENT AGENDA

3. Mayor Guinta advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Ratify and Confirm Poll

Conducted April 22, 2006 confirming the Board's support of HB 1436 A. relative to authorizing municipal and county biennial budgets for one distinct 24-month fiscal or two distinct 12-month fiscal years.

Accept BMA Minutes

В. January 3, 2006 Inaugural Ceremonies, January 3, 2006 meeting; January 17, 2006 (three meetings); January 31, 2006; February 7, 2006 (two meetings); and February 21, 2006 (two meetings).

Informational – to be Received and Filed

C. Communication from Mayor Guinta advising that a liquor and ballroom license application for the proposed Electra Nightclub at 22 Fir Street has been denied noting he will keep Board members updated should a public hearing be scheduled.

D. Communication from Comcast submitting the first quarter 2006 franchise fee payment in the amount of \$307,533.88.

Received - Referred to the Committee on Finance for Budget Deliberations

E. Communication from Gerard Fleury, Executive Director of the Contributory Retirement System, recommending the City move cautiously with the proposed Health Department transfer of school nurses to the School District as it relates to their retirement benefits.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

- **F.** Resolution resulting from CIP Committee report:
 - "Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000.00) for FY2006 CIP 711406 Downtown Miscellaneous Repairs Project."
- **G.** Resolutions submitted as a result of Finance Committee reports:
 - "Authorizing the Finance Officer to effect a transfer of Twenty Thousand Dollars (\$20,000) from Contingency to Fire Line."
 - "Authorizing the Finance Officer to effect a transfer of One Hundred Thousand Dollars (\$100,000) from Contingency to Fire Mechanical Division."
 - "Authorizing the Finance Officer to effect a transfer of Forty Three Thousand Dollars (\$43,000) from Contingency to Police Uniformed Police."
 - "Authorizing the Finance Officer to effect a transfer of Forty Three Thousand Dollars (\$43,000) from Contingency to Uniformed Police."

H. Communication from CIP Committee submitting request of Police Department to purchase five vehicle immobilizers (boots) and Resolution:

"Authorizing the Finance Officer to effect a transfer of One Thousand Eight Hundred Dollars (\$1,800) from Contingency to Police – Special Projects."

REPORTS OF COMMITTEES

COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION

- I. Recommending that the 3rd quarter FY2006 write-off list for the accounts receivable module be approved.

 (Aldermen Pinard, Thibault, DeVries and Long voted yea; Alderman Smith was absent.)
- J. Advising that it has accepted the City's Monthly Financial Statements (unaudited) for the nine months ended March 31, 2006 for FY2006. (Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)
 (Aldermen Pinard, Thibault, DeVries and Long voted yea; Alderman Smith was absent.)
- K. Advising that it has accepted the following Finance Department reports:
 - a) department legend;
 - b) open invoice report over 90 days by fund;
 - c) open invoice report all invoices for interdepartmental billings only;
 - d) open invoice report all invoices due from the School Department only;
 - e) listing of invoices submitted to City Solicitor for legal determination; and
 - f) account receivable summary

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

(Aldermen Pinard, Thibault, DeVries and Long voted yea; Alderman Smith was absent.)

COMMITTEE ON COMMUNITY IMPROVEMENT

L. Recommending that the Board accept funds in the amount of \$40,000 from MembersFirst Credit Union and Ben Gamache Enterprises for the cost of landscaping Kosciuszko Park with the balance of \$29,887 being paid with Downtown Improvements funds remaining from last year, and for such purpose a resolution and budget authorization have been submitted. (Unanimous vote)

COMMITTEE ON FINANCE

- M. Recommending that \$86,000 be transferred from Contingency to the Police Department (\$43,000 for bulletproof vests and \$43,000 for uniforms and equipment for six officers).

 (Unanimous vote with Aldermen Smith and Forest absent.)
- N. Recommending that \$120,000 be transferred from Contingency to the Fire Department (\$100,000 for rust repair and \$20,000 for protective clothing.) (Unanimous vote with Aldermen Smith and Forest absent.)

COMMITTEE ON PUBLIC SAFETY AND TRAFFIC

O. Advising that it has approved increases and various parking penalties and recommends same be referred to the Committee on Bills on Second Reading for Ordinance preparation and technical review.

(Unanimous vote)

SPECIAL COMMITTEE ON SOLID WASTE ACTIVITIES

P. Recommending that funding for the Compliance Officer at the Highway Department be placed in the FY07 budget. The Committee notes that the position will pay for itself through fees collected and is needed to enforce solid waste ordinances. The Committee advises that it has requested the Committee on Bills on Second Reading act on the ordinance establishing the class specification and compensation for the position. (Unanimous vote)

- Q. Recommending that the following groups be considered as customers to be serviced by the City's Solid Waste Program:
 - Single-family residential
 - City offices/buildings
 - Commercial properties, small (limited to 2 toters, provided they recycle)
 - Non-profits, small (limited to 2 toters, provided they recycle)
 - Multi-family residential, small (6 units or less)
 - Condominium associations, small (6 units or less)

and further recommends that same be referred to the Committee on Bills on Second Reading for Ordinance preparation and technical review. (Unanimous vote)

R. Recommending that the Board of Mayor and Aldermen approve an extension of the City's contract with Waste Management, Inc. for one five-year term, and that the Mayor be authorized to execute same for and on behalf of the City subject to the review and approval of the City Solicitor. The Committee notes that such recommendation is based on a favorable report from the Highway Department.

(Unanimous vote)

LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.

- 4. Nominations to be presented by Mayor Guinta, if available.
- 5. A motion is in order to recess the regular meeting to allow the Committee on Finance to meet.
- **6.** Mayor Guinta calls the meeting back to order.

OTHER BUSINESS

- 7. Report of the Committee on Finance, if available. Ladies and Gentlemen, what is your pleasure?
- 8. Report of the Committee on Bills on Second Reading, if available. Ladies and Gentlemen, what is your pleasure?
- 9. State Legislative update by Mayor Guinta, if available.
- 10. Communication from Virginia Lamberton, Human Resources Director, informing the Board of a shortfall in the Unemployment Compensation line item for FY06 and requesting that \$28,000 be held in contingency for such purpose.

Ladies and Gentlemen, what is your pleasure?

- 11. Communication from Police Chief Jaskolka requesting a six-week unpaid leave of absence for Lt. Steve Ranfos commencing June, 4, 2006 and ending July 15' 2006 in preparation of his taking the NH Bar Exam.

 Ladies and Gentlemen, what is your pleasure?
- 12. Communication from Gerard Fleury, Executive Director of the Contributory Retirement System, requesting written clarification from the City as to its intention with respect to payment of the overdue \$1.4 million receivable and the City's acceptance of the 12.04% contribution rate effective July 1, 2006.

Ladies and Gentlemen, what is your pleasure?

- 13. Resolutions: (A motion is in order to read by titles only.)
 - "Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000.00) for FY2006 CIP 711406 Downtown Miscellaneous Repairs Project."

- "Authorizing the Finance Officer to effect a transfer of Twenty Thousand Dollars (\$20,000) from Contingency to Fire Line."
- "Authorizing the Finance Officer to effect a transfer of One Hundred Thousand Dollars (\$100,000) from Contingency to Fire Mechanical Division."
- "Authorizing the Finance Officer to effect a transfer of Forty Three Thousand Dollars (\$43,000) from Contingency to Police Uniformed Police."
- "Authorizing the Finance Officer to effect a transfer of Forty Three Thousand Dollars (\$43,000) from Contingency to Uniformed Police."
- "Authorizing the Finance Officer to effect a transfer of One Thousand Eight Hundred Dollars (\$1,800) from Contingency to Police – Special Projects."

A motion is in order that the Resolutions pass and be enrolled.

14. NEW BUSINESS

- a) Communications
- b) Aldermen
- 15. Mayor Guinta advises that a motion is in order to recess the regular meeting to consult with legal counsel.
- 16. Mayor Guinta calls the meeting back to order.
- 17. Any actions resulting from consultation with legal counsel.
- 18. If there is no further business, a motion is in order to adjourn.





CITY OF MANCHESTER Office of the City Clerk



Leo R. Bernier City Clerk

Carol A. Johnson Deputy City Clerk

Paula L-Kang Deputy Clerk Administrative Services

Matthew Normand Deputy Clerk Licensing & Facilities

Patricia Piecuch Deputy Clerk Financial Administration

MEMORANDUM

To:

Board of Aldermen

From:

Leo R. Bernier

City Clerk

Date:

April 20, 2006

Re:

BMA Poll - HB 1436 (Biennial Budgets)

On the reverse side of this memorandum please find a copy of a draft letter which will be forwarded to the State should Board members vote to approve.

If any member is in opposition, please notify this office no later than Saturday, April 22, 2006 during the scheduled budget deliberations meeting.

pc:

Mayor Guinta

Enclosure



April 24, 2006

CITY OF MANCHESTER Office of the City Clerk



Leo R. Bernier City Clerk

Carol A. Johnson Deputy City Clerk

Paula L-Kang Deputy Clerk Administrative Services

Matthew Normand Deputy Clerk Licensing & Facilities

Patricia Pier

Corrected Communication Sent via Fax 271-2105

Patricia Piecuch Deputy Clerk Financial Administration

The Honorable Sheila Roberge, Chairman Public and Municipal Affairs Committee State House, Room 103 Concord, NH 03301

Re: HB 1436 relative to authorizing municipal and county biennial budgets for one distinct 24-month fiscal or two distinct 12-month fiscal years

Dear Chairman Roberge and Members of the Public and Municipal Affairs Committee:

This letter is to indicate that Manchester's Board of Mayor and Aldermen voted via written poll on April 22, 2006 in support of HB1436.

The Board of Mayor and Aldermen confirmed their belief that biennial budgeting would be helpful to Manchester because it allows for long-term planning and creates efficiencies in the budgeting process. Instead of departments spending between six and nine months each year preparing the budget for the following year, they will only have to do it once every two years and can spend the extra time running their departments, implementing new programs, and tending to the needs of the people.

I thank you for your time and consideration.

Sincerely,

Leo R. Bernier

L. R. Burner

City Clerk





CITY OF MANCHESTER Office of the City Clerk



Leo R. Bernier City Clerk

Carol A. Johnson **Deputy City Clerk**

Paula L-Kang Deputy Clerk **Administrative Services**

Matthew Normand Deputy Clerk Licensing & Facilities

Patricia Piecuch Deputy Clerk Financial Administration

Memo To:

Board of Mayor and Aldermen

From:

C. Johnson

Deputy City

Date:

April 26, 2006

Re:

Minutes

Enclosed are minutes of meetings as follows:

January 3, 2006 Inaugural Ceremonies

January 3, 2006 Organizational Meeting

January 17, 2006 (3 meetings)

January 31, 2006

February 7, 2006 (2 meetings)

February 21, 2006 (2 meetings)

being submitted for consideration on the May 2, 2006 agenda of the Board of Mayor and Aldermen.

Enclosures

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City of Manchester



Office of the Mayor Hon. Frank C. Guinta

Memo

To: Board of Mayor and Aldermen

From: Mayor Frank C. Guinta

Date: 04/26/06

Re: Liquor Commission

On Wednesday April 19th I submitted a letter to the New Hampshire Liquor Commission asking that they refuse the application for a liquor and ballroom license for the proposed Electra Nightclub at 22 Fir Street.

During their hearing the three member Commission rejected the club's license application and it is likely that a public hearing will be scheduled for Mr. Jack Franks, the owner of the proposed nightclub, to appeal the commissions decision.

Attached is the letter that my office submitted to the commission. I will update you on the date of that public hearing if and when it is scheduled.

NOT MANCINES TO SERVICE STATES TO SERVICE STATES

City of Manchester

Office of the Mayor Hon. Frank C. Guinta

> Hon. Anthony Maiola, Chairman New Hampshire Liquor Commission 10 Commercial St. Concord, NH 03302

Re: Application of Mr. Jack Franks for the issuance of a liquor license for a Ballroom On-Premises Cocktail Lounge at 22 Fir St. Manchester.

The Honorable Chairman & Members of the Commission:

I am contacting you regarding the recent application of a liquor and ballroom license for the proposed Electra Nightclub at 22 Fir St. in Manchester.

The location of the proposed Electra Nightclub is located in a mixed-use area of the city. The site abuts a local college and is in close proximity to a significant residential neighborhood. Although the location of the proposed Electra Nightclub has in the recent past been the site of various lounges, it is the petitioner's request for a ballroom license that concerns me the most. It is my belief that a club of that size would seriously impact city services and would cause significant parking and traffic problems in our the Downtown area.

It is also important to the city that businesses that reside in Manchester provide a safe and secure environment for their patrons. It is my belief that the capacity of this facility in this location would be detrimental to the public safety of the community.

When I assumed office as mayor four months ago, I quickly realized how powerless the city is when confronted with businesses that detract from the overall quality of life of our community. I have directed city staff to begin to look into the current business licensing process, identifying areas where changes could be made to address these issues before they reach this level.

It is with the best interests of the citizens of Manchester in mind that I strongly urge the commission to deny Mr. Franks his requested license.

Frank C. Guinta

Mayor



Comcast Cable Communications, Inc. 460 Amherst Street Nashua, NH 03063 www.comcast.com

VIA HAND DELIVERY

April 14, 2006

Mayor and Aldermen City of Manchester One City Hall Plaza Manchester, N.H. 03101

Re: Check Number

289009666, \$307,533.88

Dear Mayor and Aldermen:

Enclosed is the Comcast franchise fee payment for the first quarter of 2006, along with a backup detailed accounting sheet. If you have any questions regarding this payment, please feel free to contact me at 603-889-1363 ext. 3014.

City of Manchester, New Hampshire

By:

tull.

Comcast

Bryan Christiansen

Manager of Government Relations



COMCAST FINANCIAL AGENCY CORPORATION

REMITTANCE ADVICE

A Comcast Cable Communications Group Company Northern Division Office 676 Island Pond Road Manchester, NH 03109

No.

289009666

Date: 13-APR-06

Vendor Name: MANCHESTER CITY OF

Vendor No.:

154772

INVOICE NO.	INVOICE DATE	DESCRIPTION		DISCOUNT AMOUNT	NET AMOUNT
314CR04100	10-APR-06	1CC-PC 1ST QTR 06 FRAN FEE		0.00	307,533.88
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•					
	Annual Control of the		•		
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		·	TOTAL	0.00	307,533.88

THE FACE OF THIS DOCUMENT HAS A MULTI COLORED BACKGROUND - NOT. A WHITE BACKGROUND

(comcast.

Pay

Of

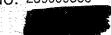
COMCAST FINANCIAL AGENCY CORPORATION A Comcast Cable Communications Group Company Northern Division Office 676 Island Pond Road Manchester, NH 03109

Bank One, NA Columbus, OH

Three Hundred Seven Thousand Five Hundred Thirty-Three Dollars And

1

No. 289009666



Date 13-APR-06

Void After 180 Days

***307,533.88

Authorized Signature

MANCHESTER CITY OF NH ONE CITY HALL PLAZA OFFICE OF THE MAYOR MANCHESTER, NH 03101 The Order

88 Cents*

United States

Authorized Signature

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIE

D

SYSTEM NAME: COMCAST OF NEW ENGLAND

FRANCHISE NAME: CITY OF MANCHESTER, NH

PAID TO: CITY OF MANCHESTER

TERM: 2006 QUARTERLY

Туре	REVENUE Category	-	JAN 06	FEB 06	MAR 06		Total 1st Qtr
Service	Basic Revenue	\$	1,398,021.76	\$ 1,438,874.65	\$ 1,531,067.95	\$	4,367,964.36
Service	Premium / Pay Revenue	\$	245,363.65	\$ 270,754.83	\$ 255,718.64	\$	771,837.12
Service	Other Revenue	\$	176,785.62	\$ 187,407.17	\$ 170,045.19	\$	534,237.98
Service	Digital Revenue	\$	183,491.68	\$ 190,289.43	\$ 207,137.39	\$	580,918.50
Service	Late Fee Revenue	\$	9,393.67	\$ 6,974.33	\$ 6,372.91	\$	22,740.91
SUB TOTAL SUBSCR	RIBER REVENUE	\$	2,013,056.38	\$ 2,094,300.41	\$ 2,170,342.08	\$	6,277,698.87
Non Service	Home Shopping Network	\$	-	\$ 	\$ -	\$	-
Non Service	Advertising Revenue (Local)	\$	_	\$ -	\$ -	\$	•
Non Service	Advertising Revenue (National)	\$	_	\$ 	\$ •	\$	•
Non Service	Advertising Revenue (Regional)	\$	_	\$ _	\$ -	\$	-
Non Service	Leased Access Revenue	\$	13,221.31	\$ 7,719.76	\$ 7,428.04		28,369.10
Non Service	Bad Debt	\$	(55,628.83)	\$ (64,530.12)	\$ (35,231.35)	\$	(155,390.30)
SUB TOTAL NON SUI	BSCRIBER REVENUE	\$	(42,407.52)	\$ (56,810.36)	\$ (27,803.31)	\$	(127,021.20)
TOTAL REVENUE		. \$	1,970,648.86	\$ 2,037,490.05	\$ 2,142,538.77	\$	6,150,677.67
FRANCHISE FEE %			5.00%	5.00%	5.00%		5.00%
LOB 01	Cable franchise fee	\$	100,652.82	104,715.02	108,517.10	\$	313,884.94
LOB 36	Ad sales franchise fee	\$	(2,120.38)	\$ (2,840.52)	\$ (1,390.17)	\$	(6,351.06)
	Fee on Fee	\$	-	\$. •	\$ ~	\$	•
•	Less: \$0.15/Sub/Mnth	\$	• •	\$ •	\$ -	Þ	•
TOTAL FRANCHISE F	EE DUE	\$	98,532.44	\$ 101,874.50	\$ 107,126.94	\$	307,533.88

FORM A: COPY FOR TOWN (DETAIL)

COMCAST NORTHERN DIVISION

CITY OF MANCHESTER

Period: Jan. 1, 2006 thru Mar. 31, 2006	
Penou. Jan. 1, 2000 tina mar. 51, 2000	
Totals By Service:	
Basic Service Revenue	\$ 4,367,964.36
Pay Service Revenue 1	\$ 771,837.12
Other Revenue 2	\$ 534,237.98
Digital Revenue	\$ 580,918.50
Late Fee Revenue	\$ 22,740.91
Subtotal	\$6,277,698.87
Totals By Non Service:	
Leased Access Revenue	\$ 28,369.10
Less Bad Debt	\$ (155,390.30)
Subtotal	(\$127,021.20)
	#C 4E0 C77 C7
Total Gross Revenue	\$6,150,677.67
Franchise Fee 1Q (5%)	\$307,533.88
FIGURISC 1 DE TO (UM)	*****
Franchise Fee 1Q Due	\$307,533.88

Totals

- 1 Pay Service includes all Pay Channels and Pay Per View Movie/Event revenue.
- 2 Other Revenue includes converter, remote, installation, TV Guide, wire maintenance and other misc. billing adjustments.

(If you have any questions regarding this payment, please call

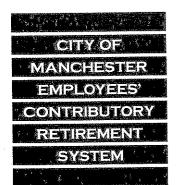
Mark Renaud at 603-695-1468

Authorized Comcast Representative:

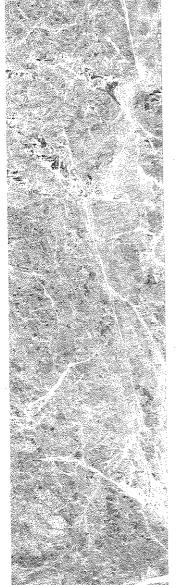
July L. Kliman

e: 4/4/06

FORM B: COPY FOR TOWN (SUMMARY)



1045 ELM ST. • SUITE 403 MANCHESTER, NH 03101-1824 PHONE (603) 624-6506 FAX (603) 624-6342



APR 2.4 ZUU6

CITY CLERK'S OFFICE

Honorable Board of Mayor & Aldermen C/O Office of the City Clerk One City Hall Plaza Manchester. NH 03101

April 20, 2006

Honorable Members:

I am writing on behalf of concerned members of the Manchester Employees'
Contributory Retirement System who are employed by the Health Department and are rumored to be affected by reorganization between departments in the not too distant future. As we understand the situation, nurses employed by the City Health Department are presently assigned to work at various schools across. Manchester. The proposed reorganization would transfer supervisory and fiscal responsibility for those nurses from the City Health Department over to the Manchester School District and while that move may superficially make sense, it isn't without serious repercussion to the pension benefit entitlements of the people in those positions.

It is quite likely that if such a move were to be undertaken without a corresponding act from the NH Legislature, that present plan participants in the Manchester Employees' Contributory Retirement System, some with over 20 years of service and potentially approaching retirement, would be prohibited from continuing participation in their present plan and would be forced to begin anew as members in the New Hampshire Retirement System. We do not argue for or against reorganization, but rather that if such measures are to be undertaken, that they be done in conjunction with legislation which provides a protective framework which would bestow an element of pension participation choice to affected employees.

There is a clear precedent on pension fund participation by City workers as a result of reorganization and it dates back to 1984 when the State Court System adsorbed the Manchester District Court. At that time, we faced a very similar situation with respect to pension benefits and obligations and a solution was achieved with the passage of Chapter 490 laws of 1984. Various provisions in Chapter 490 granted present and long time participants in the Manchester Employees' Contributory Retirement System the option of retaining their affiliation or moving over the State System while making it clear that prospective hires would be participants in the State's Plan. Without such legislative authority RSA 100-A:1 VI would require the New Hampshire Retirement System, (NHRS) to enforce membership requirements under the teacher system for full time professionals in the district, including nurses.



The NHRS has an established precedent that professionals such as nurses employed by school districts must belong to their teacher system, even though they are not strictly educators.

The purpose for my writing is not to discourage reorganization which the City should be entitled to institute, but to recommend that it be done methodically and in such a fashion as to protect the benefits which some employees may have worked an entire career to accumulate. The affected employees will be better served if reorganization can wait a year and be handled in conjunction with a legislative provision which would allow Public Health Department nurses the same accommodation afforded court employees back in 1984. We respectfully request that you consider the interests of these employees and move cautiously with any reorganization plans which may be implemented.

Gerard E. Fleury - Executive Director

Manchester Employees' Contributory Retirement System

CC: MECRS Board of Trustees

Frederick Rusczek - Public Health Director

In the year Two Thousand and Six

A RESOLUTION

"Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000.00) for FY2006 CIP 711406 Downtown Miscellaneous Repairs Project."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2006 CIP as contained in the 2006 CIP budget; and

WHEREAS, Table 1 contains all sources of Federal, State and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to accept funds in the amount of \$40,000 from private donations for improvements to the Bridge/Pearl Street parking lot connector project;

NOW, THEREFORE, be it resolved that the 2006 CIP be amended as follows:

1) By increasing:

FY2006 CIP 711406 – Downtown Miscellaneous Repairs - \$40,000 Other From \$75,000 (\$25,000 Cash & \$50,000 CBDRF) to \$115,000 (\$25,000 Cash; \$50,000 CBDRF & \$40,000 Other)

Resolved, that this Resolution shall take effect upon its passage.

Shared/cip/2006 amending 711406



In the year Two Thousand and Six

A RESOLUTION

"Authorizing the Finance Officer to effect a transfer of Twenty Thousand Dollars
(\$20,000) from Contingency to Fire - Line "

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

Line (protective clothing)

Account 3004C10776.....\$20,000

Resolved, that this resolution shall take effect upon its passage.

For "protective clothing"

In the year Two Thousand and Six

A RESOLUTION

"Authorizing the Finance Officer to effect a transfer of One Hundred Thousand Dollars (\$100,000) from Contingency to Fire- Mechanical Division"

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

Mechanical Division

Account 3303C10761.....\$100,000

Resolved, that this resolution shall take effect upon its passage.

For "rust proofing"





In the year Two Thousand and Six

A RESOLUTION

"Authorizing the Finance Officer to effect a transfer of Forty Three Thousand Dollars (\$43,000) from Contingency to Police – Uniformed Police"

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

Uniformed Police

Account 3302C10298.....\$43,000

Resolved, that this resolution shall take effect upon its passage.

For "outfitting six officers"

In the year Two Thousand and Six

A RESOLUTION

"Authorizing the Finance Officer to effect a transfer of Forty Three Thousand Dollars (\$43,000) from Contingency to Police – Uniformed Police"

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

Uniformed Police Account 3302C10298......\$43,000

Resolved, that this resolution shall take effect upon its passage.

For "replacement of bullet proof vests"





CITY OF MANCHESTER Office of the City Clerk



Leo R. Bernier City Clerk

Carol A. Johnson Deputy City Clerk

Paula L-Kang Deputy Clerk Administrative Services

Matthew Normand Deputy Clerk Licensing & Facilities

Patricia Piecuch Deputy Clerk Financial Administration

MEMORANDUM

To:

Board of Mayor and Aldermen

From:

Committee on Community Improvement

Date:

April 27, 2006

Re:

Vehicle Immobilizers (boots)

Please be advised that the Committee considered a request of the Police Department to purchase five vehicle immobilizers (boots) at a cost of up to \$1,800.00. The Committee voted to refer same to the full Board as a request from Contingency, and for such purpose a contingency transfer resolution is enclosed.

Enclosure

In the year Two Thousand and Six

A RESOLUTION

"Authorizing the Finance Officer to effect a transfer of One Thousand Eight Hundred Dollars (\$1,800) from Contingency to Police – Special Projects"

Resolved by the Board of Mayor an	d Aldermen of the City of Manchester as follows:
That the Finance Officer be and is he Adjustment as follows:	reby directed to effect a transfer from Contingency
Special Projects	Account 3300C10968\$ 1,800
Resolved, that this resolution shall ta	ke effect upon its passage.

For "vehicle immobilizers"

The Committee on Accounts, Enrollment and Revenue Administration respectfully recommends, after due and careful consideration, that the 3rd quarter FY2006 write-off list for the accounts receivable module be approved.

(Aldermen Pinard, Thibault, DeVries and Long voted yea; Alderman Smith was absent.)

Respectfully submitted,

Clerk of Committee

The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that it has accepted the City's Monthly Financial Statements (unaudited) for the nine months ended March 31, 2006 for FY2006.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

(Aldermen Pinard, Thibault, DeVries and Long voted yea; Alderman Smith was absent.)

Respectfully submitted,

The D. Bernar

Clerk of Committee



The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that it has accepted the following Finance Department reports:

- a) department legend;
- b) open invoice report over 90 days by fund;
- c) open invoice report all invoices for interdepartmental billings only;
- d) open invoice report all invoices due from the School Department only;
- e) listing of invoices submitted to City Solicitor for legal determination; and
- f) account receivable summary

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

(Aldermen Pinard, Thibault, DeVries and Long voted yea; Alderman Smith was absent.)

Respectfully submitted,

Clerk of Committee

Lel. Berner

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the Board accept funds in the amount of \$40,000 from MembersFirst Credit Union and Ben Gamache Enterprises for the cost of landscaping Kosciuszko Park with the balance of \$29,887 being paid with Downtown Improvement funds remaining from last year, and for such purpose a resolution and budget authorization have been submitted.

(Unanimous vote)

Respectfully submitted,

That Berney

Clerk of Committee



City of Manchester Department of Highways

227 Maple Street Manchester, New Hampshire 03103-5596 (603) 624-6444 Fax # (603) 624-6487 Commission

Edward J. Beleski - Chairman Joan Flurey William F. Houghton Jr. Robert R. Rivard William A. Varkas

Frank C. Thomas, P.E. Public Works Director

Kevin A. Sheppard, P.E. Deputy Public Works Director

March 27, 2006

C.I.P. Committee of the Honorable Board of Mayor and Aldermen C/O Mr. Leo Bernier CITY CLERKS OFFICE One City Hall Plaza Manchester, New Hampshire 03103

Re: Kosciuszko Park Landscaping Request to Accept Funds

Gentlemen:

Kosciuszko Park is the walkway located between Bridge Street (across the street from Kosciuszko Street) and the Pearl Street Lot (see attached locus plan). Intown Manchester, the Parks and Recreation Department, and the Highway Department have been working with the abutters of this park to have it landscaped per the attached plan. The City and the abutters (Members First Credit Union and Ben Gamanche Enterprises) have reached an agreement to share the cost of the landscaping subject to your approval and the approval of the Board of Mayor and Aldermen. In addition, if the landscaping is completed, the abutters have agreed to maintain the landscaping in future years.

Bids for the project were opened on March 16, 2006. The low bid of \$69,887 was provided by the Blue Ribbon Property Improvements Company of Hooksett, New Hampshire. Under the agreement, each abutter will contribute \$20,000. The remaining balance (\$29,887) will be paid with Downtown Improvement funds remaining from last year.

The Manchester Highway Department hereby requests your authorization to accept funds from two abutters and to allow us to move forward with the landscaping.

If you have any questions or comments or if I can be of further assistance, please do not hesitate to call.

Very truly yours.

Bruce A. Thomas

Engineering Manager

c/Kevin A. Sheppard, P.E.

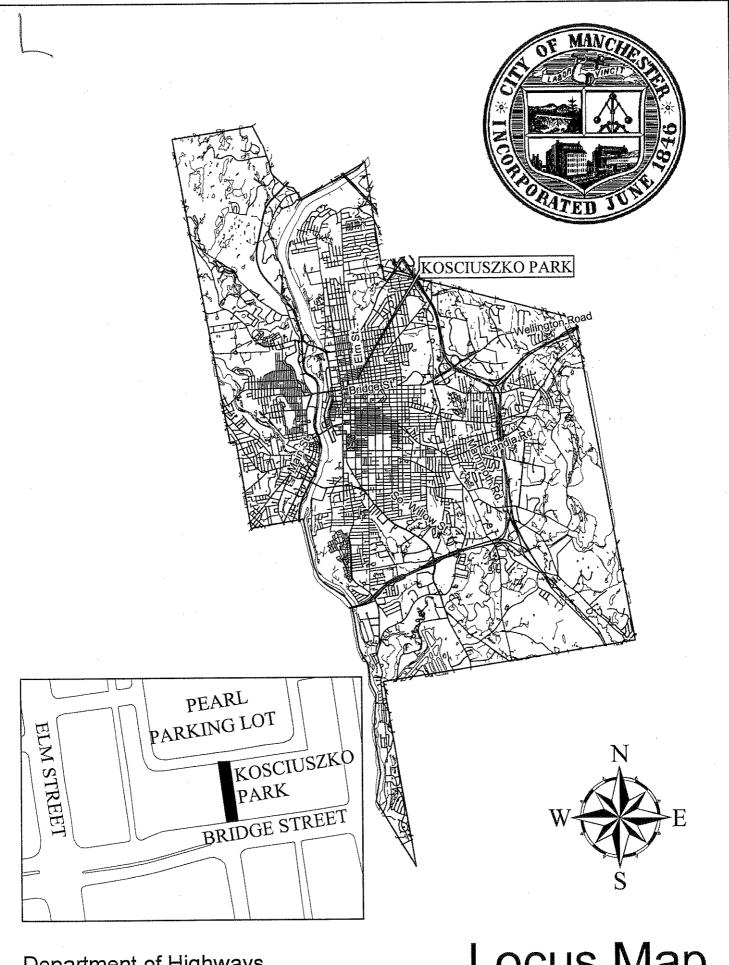
Samuel Maranto

Stephanie Lewry

Charles Deprima

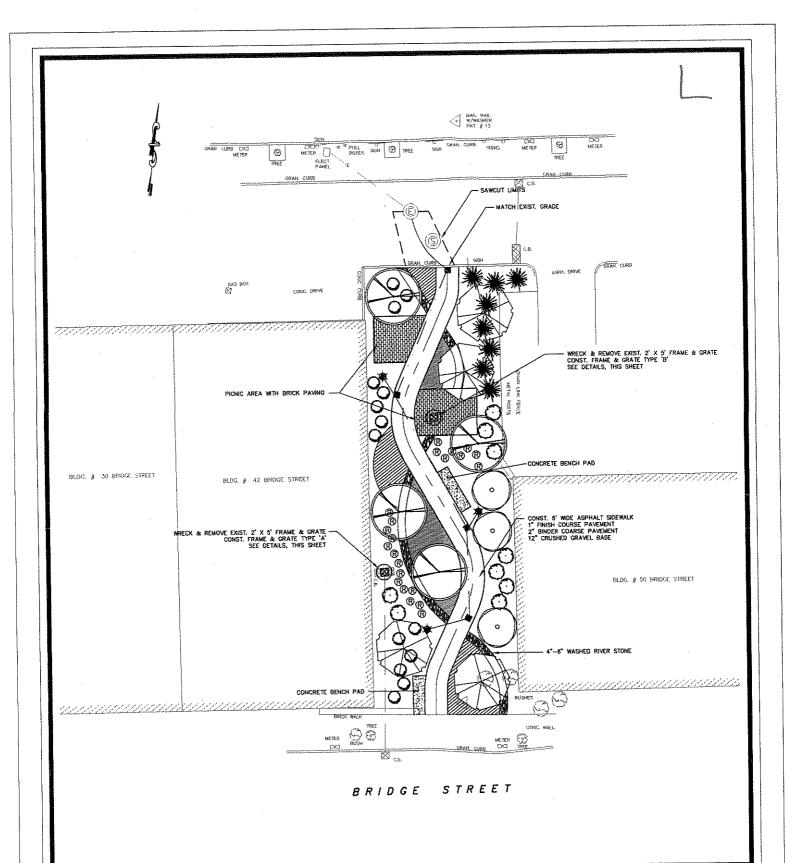
Cathy George, Members First Credit Union

Ben Gamache, Gamache Enterprises



Department of Highways City of Manchester

Locus Map



KOSCIUSZKO PARK LANDSCAPING MANCHESTER, NEW HAMPSHIRE MARCH, 2006



NORTH

SCALE N/A

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203.1 Common Excavation	: כ		\$12.00	\$300.00	\$24.20	\$242.00	\$60.00	\$600.00	\$75.00	\$750.00
304.2 Gravel	الح		\$30.00	6250 00	00.713	\$162.00	\$60.00	\$600.00	\$85.00	\$850.00
304.3 Crushed Gravei	CY		\$33.00	\$375.00	\$159.92	\$799.62	\$256.00	\$1,280.00	\$85.00	\$425.00
304.9 Washed River Stone, 8" Deep	בובי	and the same of th	00,0019	00 0093	\$133 33	\$800.00	\$306.00	\$1,836.00	\$200.00	\$1,200.00
403.12 Hot Bit. Pavement Hand Method	ION	0	\$100.00	\$350.00	00 00:5	\$300.00	\$1,700.00	\$1,700.00	\$1,500.00	\$1,500.00
604.72 CB Frame and Grate (Type B)	EA	-	\$330.00	\$500.00	\$500.00	\$500.00	\$1,700.00	\$1,700.00	\$1,500.00	\$1,500.00
604.87 CB Frame and Grate (Special)	EA		\$200.00	000000	00'005#	\$1 200 00	\$1,300,00	\$2,600.00	\$1,500.00	\$3,000.00
604.9 Catch Basin Siab Top - Type A	EA		\$500.00	\$1,000.00	\$130.00	\$16.577.00	\$147.00	\$17,493.00	\$80.00	\$9,520.00
608.3 Brick Paver Sidewalk on Bituminous Bed	SY		\$100.00	\$11,900.00	91.000	00.727.019	634 00	\$680.00	\$50.00	\$1,000.00
609.5 Reset Granite Curb	Ð	20	\$12.00	\$240.00	00.62.4	\$300.00	00.175	\$4 580.00	\$1 200.00	\$4,800.00
614.511 Concrete Pul Box	EA	4	\$300.00	\$1,200.00	\$250.00	\$1,000.00	01,145,00	\$2,652,00	\$40.00	\$1,560.00
614 7218 3" PVC Conduit Schedule 80 (Including Specified Excavation)	17	39	\$14.00	\$546.00	\$25.64	\$1,000.00	00.004	00.40.40	640.00	\$4.760.00
614 7118 3" PVC Conduit, Schedule 40 (Including Specified Excavation)	LF	119		\$3,570.00	\$25.21	\$3,000.00	\$33.00	61,000,000	00.000 (3	\$1,000.00
618, 109 Uniformed Officers and Flagmen	ALL	-	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$2,500.00	\$2,500.00
610 7 Const. Sions and Warring Devices	LS		\$500.00	\$500.00	\$200.00	\$200.00	91,000.00	6760.00	\$5.00	00 0058
628.2 Sawed Bit. Concrete Pavement	E	100		\$300.00	\$4.13	\$413.00	00.74	\$700.00	2005	\$500.00
620 Testing of Materials	AII		\$500.00	\$500.00	3200.00	\$200.00	00.000\$	61 000 00	615 000 00	\$15,000,00
60) Mohilization	LS	-	\$3,000.00	\$3,000.00	\$0.00	\$0.00	\$1,980.00	\$1,980.00	00.000.00	\$500.00
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800 Planings	T G	2		\$2,400.00	\$2,500.00	\$5,000.00	\$3,900.00	\$7,800.00	\$4,200.00	\$8,400.00
900 Benches with Congrete Pad	i i			89,000.00	\$3,904.46	\$11,713.38	\$3,333.00	\$9,999.00	\$4,500.00	\$13,500.00
1000 Amoskeag Street Light Refurbish and Install	Ž				- Labour Street					
TALLET THE				\$59.801.00		\$69,887.00		\$89,275.00		\$98,065.00
Total:				201006						

B.A.T. March 16, 2006

Kosciuszko Park Landscaping



The Committee on Finance respectfully recommends, after due and careful consideration, that \$86,000 be transferred from Contingency to the Police Department (\$43,000 for bulletproof vests and \$43,000 for uniforms and equipment for six officers.)

(Unanimous vote with Aldermen Smith and Forest absent.)

Respectfully submitted,

ole R. Berner

Clerk of Committee



The Committee on Finance respectfully recommends, after due and careful consideration, that \$120,000 be transferred from Contingency to the Fire Department (\$100,000 for rust repair and \$20,000 for protective clothing.)

(Unanimous vote with Aldermen Smith and Forest absent.)

Respectfully submitted,

Clerk of Committee

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety and Traffic respectfully recommends, after due and careful consideration, that certain penalties be increased for parking violations as follows:

Night Parking		
From	<i>\$15.00</i>	\$45.00
To:	\$25.00	\$50.00
No Parking Zone		٠
From	<i>\$20.00</i>	\$40.00
To:	\$50.00	\$75.00
No Parking Tow	Zone	
From	<i>\$25.00</i>	\$50.00
To:	\$50.00	\$75.00
Fire Lane		
From	<i>\$25.00</i>	\$50.00
To:	\$50.00	\$75.00

and recommends same be referred to the Committee on Bills on Second Reading for Ordinance preparation and technical review.

(Unanimous vote)

Respectfully submitted,

Clerk of Committee



To the Board of Mayor and Aldermen of the City of Manchester:

The Special Committee on Solid Waste Activities respectfully recommends, after due and careful consideration, that funding for the Compliance Officer at the Highway Department be placed in the FY07 budget.

The Committee notes that the position will pay for itself through fees collected and is needed to enforce solid waste ordinances.

The Committee advises that it has requested the Committee on Bills on Second Reading act on the ordinance establishing the class specification and compensation for the position.

(Unanimous vote)

Clerk of Committee

Respectfully submitted,



To the Board of Mayor and Aldermen of the City of Manchester:

The Special Committee on Solid Waste Activities respectfully recommends, after due and careful consideration, that the following groups be considered as customers to be serviced by the City's Solid Waste Program:

- Single-family residential
- City offices/buildings
- Commercial properties, small (limited to 2 toters, provided they recycle)
- Non-profits, small (limited to 2 toters, provided they recycle)
- Multi-family residential, small (6 units or less)
- Condominium associations, small (6 units or less)

and further recommends that same be referred to the Committee on Bills on Second Reading for Ordinance preparation and technical review.

(Unanimous vote)

Respectfully submitted,

IR Bernen

Clerk of Committee

R

To the Board of Mayor and Aldermen of the City of Manchester:

The Special Committee on Solid Waste Activities respectfully recommends, after

due and careful consideration, that the Board of Mayor and Aldermen approve an

extension of the City's contract with Waste Management, Inc. for one five-year

term, and that the Mayor be authorized to execute same for and on behalf of the

City subject to the review and approval of the City Solicitor.

The Committee notes that such recommendation is based on a favorable report

from the Highway Department.

(Unanimous vote)

Respectfully submitted,

Shell. Berner

Clerk of Committee



CITY OF MANCHESTER

Human Resources Department



One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov

April 24, 2006

The Honorable Mayor Frank Guinta And the Board of Aldermen City of Manchester One City Hall Plaza Manchester, New Hampshire 03101

Dear Mayor Guinta and Members of the Board of Aldermen:

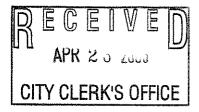
For the several years prior to FY06, Human Resources had been budgeted \$40,000 for Unemployment Compensation. For FY 06, we were budgeted \$20,000. Unfortunately, this is insufficient to pay the Unemployment Compensation bills to date.

As of February 28, 2006, we have been billed \$31,492. This is for eight months of claims. In order to ensure that we will have sufficient funds to pay for our current deficit as well as the remainder of this fiscal year, I am requesting that \$28,000 be held in contingency. The average amount of claims for the first eight billing periods was \$3,936.50/month. There are four more billing periods for this fiscal year. Four months times \$3,936.50 is \$15,746. In addition to the anticipated bills, we will need \$11,492 in order to pay for the February claims bringing the total anticipated deficiency to \$27,238.

Your favorable approval of this request would be greatly appreciated.

Respectfully submitted,
Naginia a Lamberter

Virginia A. Lamberton Human Resources Director





City of Manchester Police Department

Ralph Miller Public Safety Center 351 Chestnut Street Manchester, New Hampshire 03101-2294 (603) 668-8711 Business Phone (603) 668-8941 Main Fax (603) 628-6137 Administrative Offices Fax Commission

Calvin T. Cramer John J. Tenn Nory Marquez Thomas D. Noonan Thomas J. Hammond

Deputy Chiefs

Richard P. O'Leary Glenn S. Leidemer Gary T. Simmons

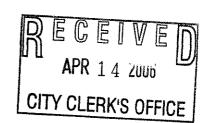
Executive Secretary

Kim Demers

13 April, 2006

Board of Mayor and Aldermen One City Hall Plaza Manchester, NH 03101

Re: Leave of Absence Request City Ordinance 33.076 - Special Leave



Honorable Members:

Lieutenant Steve Ranfos, a twenty four-year veteran of the Manchester Police Department is scheduled to receive his Juris Doctorate Degree in May. He will then begin preparing to take the New Hampshire Bar exam that will be administered on the 29th & 30th of July.

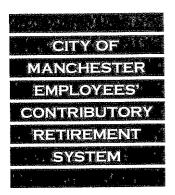
In an effort to focus on his preparation, Lieutenant Ranfos has requested a six-week, unpaid leave of absence commencing Sunday, June 4th and ending Saturday, July 15th. During the remaining two weeks of July Lieutenant Ranfos will utilize accrued vacation time.

I strongly believe that Lieutenant Ranfos' advanced legal education and licensing will directly benefit the police department, and in turn the citizens of Manchester and I support his request.

Sincerely

Chief of Police





April 21, 2006

1045 ELM ST. • SUITE 403 MANCHESTER, NH 03101-1824 PHONE (603) 624-6506 FAX (603) 624-6342 Honorable Board of Mayor & Aldermen C/O Office of the City Clerk One City Hall Plaza Manchester, NH 03101

Honorable Members:

The purpose of this letter is to request written clarification from the City as to its intention with respect to payment of an overdue \$1.4 million receivable and confirmation that the City will be contributing the certified rate of 12.04% effective as of the start of the July 2006 fiscal year.

On March 29, 2006, the Manchester Employees' Contributory Retirement System sent written notification to the Board of Mayor & Aldermen that the City's employer contribution rate (expressed as a percentage of payroll), had been established for the coming fiscal year and explaining briefly why the rate had risen. In addition, the Board was also notified of a \$1.4 million receivable which has been outstanding since 2004. The Retirement System's letter was placed on the agenda of your April 4, 2006 meeting and discussed at that time. I testified that the receivable issue would be discussed at a scheduled meeting of the Retirement System Board of Trustees on April 11, 2006 and that I would communicate the results of that meeting to you.

The Retirement System office was visited by Independent City Auditor, Kevin M. Buckley on April 6, 2006. The Retirement System provided him with copies of all materials requested, relating to the \$1.4 million receivable. In preparation for the Board of Trustees Meeting on April 11, 2006, the Retirement System compiled 17 pages of documentation accumulated since 2004 from actuaries, auditors for the Retirement System and the City, and City officials, clearly indicating that the amount at issue has been reported and disclosed as a receivable. This information has been provided to the Mayor and City Finance Director.

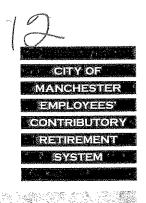
On April 11, 2006, the Retirement System Board, including the Mayor and the City Finance Director who are members of that Board, met to discuss resolution of the \$1.4 million owed by the City and published reports that the Mayor's budget did not include funding associated with a retiree COLA. The Board reviewed its fiduciary duties as Trustees of the Retirement System, a separate legal entity from the City. The Board also reviewed the state statute which addresses the City's funding obligation, Chapter 218:8 Laws of 1974 as amended which reads:

DECEIVED

APR 21 ZUUS

CITY CLERK'S OFFICE

The city shall appropriate annually to the retirement board the



amounts required to fund the benefits set forth in the act as determined by the retirement board on the basis of an actuary's valuation, which shall be based on sound actuarial funding methods, assumptions, and principles.

The Board also considered precedent from other states in which courts have ordered governmental entities to appropriate funds for retirement systems based on similar statutes.

Since the City has not formally informed the Retirement System that the certified rate of 12.04% would not be put into effect beginning in July 2006, the Retirement System Board of Trustees assumed that the City would follow the state law quoted above requiring the City to appropriate the full 12.04% rate certified by the Retirement System. The Retirement System Board of Trustees elected to delay further action until their meeting on May 9, 2006 as a courtesy to the Mayor so that he might be afforded time to reflect upon the documentation provided relating to the receivable and to confer with the City Auditor.

The Board of Trustees authorized the Board Chairman and Executive Director to write to the City seeking a written definitive position by the City on its full acceptance of the 12.04% contribution rate effective July 1, 2006 and of its intentions regarding the payment of the overdue \$1.4 million receivable. Since time is running short and it is in the mutual best interests of the City and the Retirement System to resolve these issues sooner, rather than later, we respectfully request a written response, as alluded to above, no later than May 8, 2006.

Thank you for your attention to this matter.

Sincerely,

Gerard E. Fleury - Executive Director

Manchester Employees' Contributory Retirement System

CC: MECRS Board of Trustees

In the year Two Thousand and Six

A RESOLUTION

"Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000.00) for FY2006 CIP 711406 Downtown Miscellaneous Repairs Project."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2006 CIP as contained in the 2006 CIP budget; and

WHEREAS, Table 1 contains all sources of Federal, State and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to accept funds in the amount of \$40,000 from private donations for improvements to the Bridge/Pearl Street parking lot connector project;

NOW, THEREFORE, be it resolved that the 2006 CIP be amended as follows:

1) By increasing:

FY2006 CIP 711406 – Downtown Miscellaneous Repairs - \$40,000 Other From \$75,000 (\$25,000 Cash & \$50,000 CBDRF) to \$115,000 (\$25,000 Cash; \$50,000 CBDRF & \$40,000 Other)

Resolved, that this Resolution shall take effect upon its passage.



For "protective clothing"

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

"Authorizing the Finance Officer to eff (\$20,000) from Contingency to Fire – I	Tect a transfer of Twenty Thousand Dollars Line "	
Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:		
That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:		
Line (protective clothing)	Account 3004C10776\$20,000	
Resolved, that this resolution shall take effect upon its passage.		

(3

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

"Authorizing the Finance Officer to effect a transfer of One Hundred Thousand Dollars (\$100,000) from Contingency to Fire- Mechanical Division"

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

Mechanical Division

Account 3303C10761....\$100,000

Resolved, that this resolution shall take effect upon its passage.

For "rust proofing"



In the year Two Thousand and Six

A RESOLUTION

"Authorizing the Finance Officer to effect a transfer of Forty Three Thousand Dollars (\$43,000) from Contingency to Police – Uniformed Police"

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

Uniformed Police

Account 3302C10298.....\$43,000

Resolved, that this resolution shall take effect upon its passage.

For "outfitting six officers"

In the year Two Thousand and Six

A RESOLUTION

"Authorizing the Finance Officer to effect a transfer of Forty Three Thousand Dollars (\$43,000) from Contingency to Police – Uniformed Police"

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

Uniformed Police

Account 3302C10298.....\$43,000

Resolved, that this resolution shall take effect upon its passage.

For "replacement of bullet proof vests"

In the year Two Thousand and Six

A RESOLUTION

"Authorizing the Finance Officer to effect a transfer of One Thousand Eight Hundred Dollars (\$1,800) from Contingency to Police – Special Projects"

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

Special Projects

Account 3300C10968......\$ 1,800

Resolved, that this resolution shall take effect upon its passage.

For "vehicle immobilizers"